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6 Attorneys for Defendant
AGA SERVICE COMPANY (erroneously sued as ACCESS
7 AMERICA, MONDIAL ASSISTANCE, WORLD ACCESS
SERVICES CORP., BCS INSURANCE COMPANY, and
8 ALLIANZ INSURANCE) and JEFFERSON INSURANCE
COMPANY

9
10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12

13 CLINT JEFFREY BOWEN,

14 Plaintiff,

15 vs.

16 ACCESS AMERICA; MONDIAL
ASSISTANCE; WORLD ACCESS SERVICES
17 CORP.; BCS INSURANCE COMPANY;
JEFFERSON INSURANCE COMPANY;
18 ALLIANZ INSURANCE; AGA SERVICE
COMPANY; DOES 1-100,

19 Defendants.
20

Case No. 3:12-cv-03083-MMC

**JOINT STIPULATION REGARDING
DEFENDANTS' MOTION TO DISMISS
FOR FAILURE TO STATE A CLAIM ON
WHICH RELIEF CAN BE GRANTED
AND/OR A MOTION FOR A MORE
DEFINITE STATEMENT; [PROPOSED]
ORDER**

21 1. Defendants AGA Service Company (erroneously sued as Access America, Mondial
22 Assistance, World Access Service Corp., BCS Insurance Company, and Allianz Insurance) and
23 Jefferson Insurance Company (collectively "Defendants") will be filing a Motion to Dismiss
24 Plaintiff's Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and/or a
25 Motion for a More Definite Statement under Federal Rule 12(e) of the Federal Rules of Civil
26 Procedure (collectively "Motion to Dismiss").

27 2. Plaintiff's counsel will be out of the country and unavailable between July 17, 2012
28 and August 22, 2012.

1 3. In light of the unavailability, and at the request of Plaintiff's counsel, the parties, by
2 and through their counsel of record, have stipulated to the following briefing and hearing schedule
3 on Defendants' Motion to Dismiss:

4 Last day to file Motion to Dismiss: August 1, 2012;

5 Last day to file Plaintiff's Opposition: September 11, 2012;

6 Last day to file Reply to Plaintiff's Opposition: September 18, 2012; and

7 Hearing on Defendants' Motion to Dismiss: October 5, 2012.

8 4. Since Defendants' Motion to Dismiss will not be heard until October 5, 2012, the
9 parties also request a continuance of the September 21, 2012 Case Management Conference to
10 October 5, 2012.

11 **IT IS SO STIPULATED.**

12
13 Dated: July 12, 2012

LAW OFFICES OF JOEL H. SIEGAL

14
15 By: 

JOEL H. SIEGAL

Attorney for Plaintiff Clint Jeffrey Bowen

16
17 Dated: July , 2012

WALSWORTH FRANKLIN BEVINS & McCALL, LLP

18
19 By: _____

LAURIE E. SHERWOOD

ALEX F. PEVZNER

Attorneys for Defendant

AGA SERVICE COMPANY (erroneously sued as

ACCESS AMERICA, MONDIAL ASSISTANCE,

WORLD ACCESS SERVICES CORP., BCS

INSURANCE COMPANY, and ALLIANZ

INSURANCE) and JEFFERSON INSURANCE

COMPANY

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Walsworth,
Franklin,
Bevins &
McCall, LLP
ATTORNEYS AT LAW

-2-

Case No. 3:12-cv-03083-MMC

JOINT STIPULATION REGARDING DEFENDANTS' MOTION TO DISMISS

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3. In light of the unavailability, and at the request of Plaintiff's counsel, the parties, by and through their counsel of record, have stipulated to the following briefing and hearing schedule on Defendants' Motion to Dismiss:

Last day to file Motion to Dismiss: August 1, 2012;

Last day to file Plaintiff's Opposition: September 11, 2012;

Last day to file Reply to Plaintiff's Opposition: September 18, 2012; and

Hearing on Defendants' Motion to Dismiss: October 5, 2012.

4. Since Defendants' Motion to Dismiss will not be heard until October 5, 2012, the parties also request a continuance of the September 21, 2012 Case Management Conference to October 5, 2012.

IT IS SO STIPULATED.

Dated: July 12, 2012

LAW OFFICES OF JOEL H. SIEGAL

By:

JOEL H. SIEGAL

Attorney for Plaintiff Clint Jeffrey Bowen

Dated: July 12, 2012

WALSWORTH FRANKLIN BEVINS & McCALL, LLP

By:

LAURIE E. SHERWOOD

ALEX F. PEVZNER

Attorneys for Defendant

AGA SERVICE COMPANY (erroneously sued as ACCESS AMERICA, MONDIAL ASSISTANCE, WORLD ACCESS SERVICES CORP., BCS INSURANCE COMPANY, and ALLIANZ INSURANCE) and JEFFERSON INSURANCE COMPANY

ORDER

Upon consideration of the parties' stipulation and request to set a briefing schedule on Defendants' AGA Service Company's and Jefferson Insurance Company's Motion to Dismiss Plaintiff's Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and/or a Motion for a More Definite Statement under Federal Rule 12(e) of the Federal Rules of Civil Procedure, and good cause appearing, the Court sets the following briefing schedule:

(1) Defendants' Motion to Dismiss and/or Motion for a More Definitive Statement shall be filed by August 1, 2012;

(2) Plaintiff's Opposition to Defendants' Motion to Dismiss and/or Motion for a More Definitive Statement shall be filed by September 11, 2012;

(3) Defendants' Reply to Plaintiffs' Opposition to Defendants' Motion to Dismiss and/or Motion for a More Definitive Statement shall be filed by September 18, 2012;

(4) The hearing on Defendants' Motion to Dismiss and/or Motion for a More Definitive Statement will be set for October 5, 2012, at 9:00 a.m.

(5) The September 21, 2012 Case Management Conference shall be continued to ~~October~~ November 9, 2012, at 10:30 a.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED,

Date: July 13, 2012


HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE